



MINUTES [Amended]
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
September 21, 2011

MEMBERS, OCONEE COUNTY COUNCIL

Mr. Joel Thrift, District IV, Council Chairman
Mr. Paul Corbett, District I, Vice Chairman
Mr. Wayne McCall, District II, Chairman Pro Tem
Mr. Archie Barron, District III
Mr. Reg Dexter, District V

Oconee County Council met on Wednesday, September 21, 2011 at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, Thomas L. Martin County Attorney, County Administrator Scott Moulder and Clerk to Council, Elizabeth G. Hulse present.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeese.com/council]. In addition it was made available [upon request] to the newspapers, radio stations, television stations and concerned citizens.

Member of the press present: Dick Mangrum – WGOG Radio, Ray Chandler – Anderson Independent, Ashton Hester – Keowee Courier & Carlos Galarza - Daily Journal.

Call to Order: Mr. Thrift called the meeting to order at 6:00 p.m.

Extended Public Comment Session: None scheduled for this meeting.

Public Comment Session [related to specific agenda items]:

Mr. C. W. Richards addressed Council regarding passage of R2011-12; requesting an in-depth evaluation by both DHEC and the EPA of the site prior to purchase in order to protect the county.

Public Comment Session [related to non-agenda items]:

Mr. Mendel Stone addressed Council voicing concerns regarding his property reassessments.

Mr. Tom Underwood addressed Council requesting the option to purchase the lot on which he had rented property from Mr. England; property sold to the County as part of the Echo Hills development.

Mr. B. J. Littleton addressed Council voicing concerns regarding reassessment and the Broadband project.

County Council Response to Public Comment:

Mr. McCall stated that the reassessment process has drawn a lot of public criticism. He directed concerned citizens to Tyler Technologies and if they don't receive satisfaction to contact the Administrator.

Mr. Thrift showed those present a newspaper advertisement outlining the process and providing contact information [copy of ad filed with these minutes]. He also noted that work is ongoing to address citizen concerns and that local staff was used to conduct the reassessments.

Mr. Moulder reiterated that process; citizens should first contact Tyler Technologies to identify if an adjustment can be made, then contact the Assessor's office if unsatisfied, and lastly filing a formal appeal with the Board of Assessment Appeals.

Meeting Recess:

Mr. Thrift announced a recess until 6:30 p.m.

Meeting Reconvene:

Mr. Thrift reconvened the meeting to 6:30 p.m.

Pledge of Allegiance:

Mr. Barron led the Pledge of Allegiance to the United States of America.

Minutes:

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve the minutes from the September 1, 2011 special meeting as presented.

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve the minutes from the September 6, 2011 regular meeting as presented.

Motion to Amend the Agenda to Consider R2011-13 Out of Order

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to amend the agenda to consider R2011-13 out of order at this time.

Consideration of the Following Resolutions:

Resolution R2011-13

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Resolution R2011-13** "A RESOLUTION HONORING OCONEE COUNTY EMERGENCY SERVICES MEMBERS UPON THEIR DEATHS" on first and final reading. Mr. Thrift presented the Resolution to Operations Chief Eric Lutz and members of the families.

Presentation by Outside Organizations

ACOG 2011 Comprehensive Economic Development Strategy Report / Mr. Chip Bentley

Mr. Bentley, Appalachian Council of Governments [ACOG], Planning Services Director, addressed Council utilizing a handout entitled "Appalachian Region Comprehensive Economic Development Strategy, 2011 Annual Report, Oconee County Element". Mr. Corbeil requested the addition of two items to the listing; Echo Hills infrastructure and North Route Highway 11 Sewer Infrastructure / Basin Study. Discussion followed.

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to endorse the Appalachian Region Comprehensive Economic Development Strategy, 2011 Annual Report, Oconee County Element as amended.

Public Hearing regarding the Oconee County Council Redistricting Plan 1 Map

Mr. Thrift opened the floor for Public Comment.

Mr. John Adams addressed Council [utilizing a handout map – copy filed with these minutes] requesting consideration for creation of a Mountain District following the Southern Blue Ridge Escarpment boundary. He noted that insufficient population existed in this area and Council could pull from other districts to make it work.

Mr. Michael Cammick addressed Council requesting the establishment of a Mountain District including Mountain Rest, Long Creek, etc.

Mr. B. J. Littleton addressed Council noting that the proposed redistricting map is much better than the districts drawn after the last census and his support for the creation of a Mountain District.

Mr. Thrift opened the floor for any additional comments.

Ms. Sandra Grey, Clemson League of Women Voters, addressed Council requesting consideration of the following four issues: [1] delineate the districts based on anticipated growth, [2] respect municipality and precinct boundaries, [3] take into account anticipated school population growth, and [3] protect rural areas.

Mr. Berry Nichols addressed Council in support for the creation of a Mountain District and voiced concerns that the meeting date change was done to minimize public input regarding the map.

Ms. Chandra Morrison addressed Council in support for the creation of a Mountain District; noting that it is unfortunate that district lines are drawn based on population.

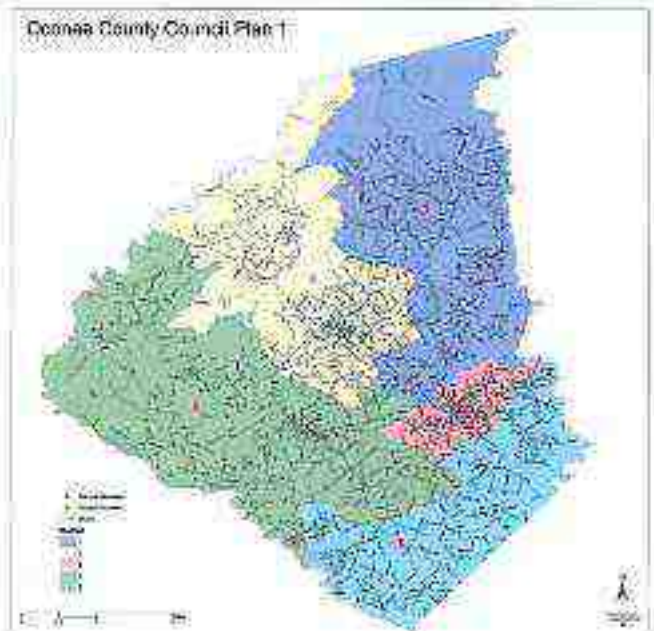
Mr. Thrift asked if any citizens wished to submit written comments.

No written comments were submitted.

Mr. Thrift stated that he wished to clear up any misconceptions regarding the Plan 1 Map being considered by Council: noting that the map presented by the SC Budget & Control Board had no county input. The first time Council and staff saw the map was when it was presented at the August 18, 2011 Budget, Finance & Administration Committee meeting. He reviewed the guidelines for drawing the map noting that the map may have a maximum 10% population deviation [Plan 1 Map has a less than 3.8% deviation]. In addition, he noted that the plan does not disenfranchise any minority populations in Oconee County.

Mr. Thrift noted that the meeting was moved from September 20, 2011 [vote taken at the September 6, 2011 meeting and advertised in the local paper, on the county website and posted at the Oconee County Administrative Offices] in order for the Council to attend the Anderson-Oconee-Pickens Business & Industry Showcase at the Little John Coliseum at Clemson University. The Showcase targets 8th grade students helping them to identify the employment opportunities with local businesses and industry. Mr. Thrift noted that Council wished to be present to support the Showcase.

Mr. Thrift closed the Public Hearing noting that an additional hearing is scheduled for the October 4, 2011.



Consideration of the Following Resolutions:

Resolution 2011-12

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Resolution R2011-12** “A RESOLUTION RE-AUTHORIZING THE PURCHASE OF CERTAIN OCONEE COUNTY REAL PROPERTY, CONTINGENT ON THE SATISFACTORY COMPLETION OF ALL DUE DILIGENCE AND CONTRACTUAL REQUIREMENTS ESTABLISHED BY OCONEE COUNTY, TO THE SATISFACTION OF OCONEE COUNTY COUNCIL; RE-AUTHORIZING THE COMPLETION OF SUCH DUE DILIGENCE AND CONTRACTS; RE-AUTHORIZING THE RECEIPT OF ALL LAWFUL FUNDS AUTHORIZED FOR SUCH PURCHASES; RE-AUTHORIZING THE EXECUTION AND DELIVERY OF ALL CONTRACTS, INTERGOVERNMENTAL AGREEMENTS, AND OTHER DOCUMENTS RELATED TO SUCH PURCHASES; RE-AUTHORIZING THE AMENDMENT OF THE CURRENT OCONEE COUNTY BUDGET ORDINANCE TO PROVIDE ACCOUNTING AND FUNDING FOR THE TOTAL COST OF CONTRACTING FOR AND PURCHASING SUCH PROPERTIES; AND OTHER MATTERS RELATED THERETO” on first and final reading.

Resolution R2011-13

Addressed previously in the meeting.

Public Hearing regarding the following Ordinances

Ordinance 2011-27 “AN ORDINANCE AUTHORIZING THE CREATION AND ORGANIZATION OF THE SOUTH CAROLINA WORKLINK WORKFORCE INVESTMENT CORPORATION AS A SOUTH CAROLINA NONPROFIT CORPORATION TO SERVE AS THE LOCAL WORKFORCE INVESTMENT BOARD FOR THE WORKFORCE INVESTMENT AREA COMPRISED OF ANDERSON COUNTY, OCONEE COUNTY, AND PICKENS COUNTY, SOUTH CAROLINA THROUGH EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BY AND AMONG SAID COUNTIES; AUTHORIZING EXECUTION AND DELIVERY OF SUCH INTERGOVERNMENTAL AGREEMENT; AND, OTHER MATTERS RELATING THERETO.”

Mr. Thrift opened the Public Hearing regarding Ordinance 2011-27.

No citizens came forward to address Council.

Mr. Thrift asked if any citizens wished to submit written comments.

No written comments were submitted.

Mr. Thrift closed the Public Hearing regarding Ordinance 2011-27.

Consideration of the Following Ordinances:

Ordinance 2011-27

Mr. Barron made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Ordinance 2011-27** “AN ORDINANCE AUTHORIZING THE CREATION AND ORGANIZATION OF THE SOUTH CAROLINA WORKLINK WORKFORCE INVESTMENT CORPORATION AS A SOUTH CAROLINA NONPROFIT CORPORATION TO SERVE AS THE LOCAL WORKFORCE INVESTMENT BOARD FOR THE WORKFORCE INVESTMENT AREA COMPRISED OF ANDERSON COUNTY, OCONEE COUNTY, AND PICKENS COUNTY, SOUTH CAROLINA THROUGH EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN SAID COUNTIES AND OTHER MATTERS RELATING THERETO” on third and final reading.

Ordinance 2011-28

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2011-28** “AN ORDINANCE TO ADOPT A REDISTRICTING PLAN FOR OCONEE COUNTY, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO” on second reading.

Discussion & Possible Action Items

None scheduled for this meeting.

Board & Commission Appointments

None scheduled for this meeting.

Oconee County Conservation Bank Board

Mr. Thrift noted that the Oconee County Conservation Bank Board [created by Ordinance 2011-16] has been established and that Council is seeking interested citizens wishing to serve. He read from a prepared Open Position flyer [copy filed with these minutes] outlining the board makeup and requirements.

Commission & Board Reports to Council:

None scheduled for this meeting.

Council Committee Reports:

None scheduled for this meeting.

Real Estate, Facilities & Land Management Committee / Mr. Barron

Mr. Barron read from a prepared statement [copy filed with these minutes] highlighting the activities at the September 12, 2011 meeting.

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to direct the Administrator to work with Tri County Tech and the Mountain Lakes Small Business Development Corporation to develop a short term lease agreement for currently available space in the Brown Building for use as a Business Incubator.

Administrator’s Report:

Mr. Moulder provided Council with a written report for review and discussion [copy filed with these minutes].

Mr. McCall questioned the Administrator regarding the problems with Tyler Technologies and the reassessment; asking if it rose to the level of fraud. Mr. Moulder stated that he was not prepared to make any determination prior to a formal analysis and prior to discussion of the matter with our legal counsel. Discussion followed.

Old Business:

None scheduled for this meeting.

New Business:

SCAC President Letter [September 13, 2011] regarding the Local Government Fund [LGF]

Mr. Dexter briefly outlined concerns raised in the letter [copy filed with these minutes]. He noted that the LGF has been reduced for the last four years in violation of state law. The SCAC president’s letter requests that Council meet with the local delegation to outline concerns and to request full funding. Mr. Dexter noted that the County is responsible for funding state mandated programs/offices; however, the legislature continues to reduce funding. Lengthy discussion followed.

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to direct the Administrator to identify government mandated programs and services; including total cost for

operation versus LGF dollars received for the previous four years in order to identify any shortfall be paid by Oconee County taxpayers.

Mr. Corbeil asked that after this is complete that a meeting be scheduled with the delegation to review with them the results and the Council's concerns. A copy of the letter would also be sent to SCAC.

Deputy David McMahan Request to Council for Support / Bridge Naming for Deputy Schuck

Mr. McCall recognized Deputy McMahan who read from a prepared statement [copy filed with these minutes] outlining the events that lead to Deputy William F. Schuck, III, death in the line of duty in February 2010 and the efforts of the Oconee County Sheriff's Department to have the bridge at Highway 11 and Highway 123 named for the officer. Mr. Thrift on behalf of the full Council stated that they would be honored to endorse the naming.

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to endorse the request and have the Administrator draft a letter of recommendation to the State Legislature through the local delegation in support of the request.

Memorandum of Understanding [MOU] with Duke Energy Recommendation

Mr. Barron noted receipt of the letter from the Oconee County Planning Commission, dated September 21, 2011, [copy filed with these minutes] recommending to Council to not pursue a MOU with Duke at this time. Mr. Barron noted that a MOU would be of benefit to both the County and the Duke; noting that it would outline the roles and responsibilities for both the County and Duke for the future. Mr. Thrift concurred noting that the document would clearly identify roles and responsibilities to future Council's, staff and Duke Energy as it relates to the lake.

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to request the Planning Commission to draft a MOU with Duke for Council review.

Adjourn:

Mr. McCall made a motion, approved unanimously to adjourn at 7:57 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council